



CITY OF MEMPHIS

COUNCIL REGULAR MEETING AGENDA

Tuesday, October 6, 2020, 3:30 p.m.

Conducted by Electronic/Telephonic Means

Official Recording of Meeting will be available on
City Council's Website

https://www.memphistn.gov/government/city_council

CALL TO ORDER by the Sergeant-at-Arms

INVOCATION

Any invocation that may be offered before the official start of the Council meeting shall be the voluntary offering of a private citizen, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the Council and do not necessarily represent the religious beliefs or views of the Council in part or as a whole. No member of the community is required to attend or participate in the invocation and such decision will have no impact on their right to actively participate in the business of the Council. Copies of the policy governing invocations and setting forth the procedure to have a volunteer deliver an invocation are available upon written request submitted to the Council Administrator of the Memphis City Council.

PLEDGE OF ALLEGIANCE

CALL OF ROLL by the Comptroller

APPROVAL OF PREVIOUS MEETING MINUTES (September 15, 2020)

ANNOUNCEMENT FOR APPEARANCE CARDS FOR PUBLIC SPEAKING

ITEMS HELD OR DROPPED FROM THE AGENDA

PRESENTATION AND RECOGNITION OF VISITORS (None)

COMMUNITY ORGANIZATION SPOTLIGHT (None)

PUBLIC HEARINGS

1. RESOLUTION appealing a planned development located at the Southwest corner of Quince Road and Lynnfield Road, containing 4.20 acres currently governed by Quince/Lynnfield Planned Development (PD 99-362). This resolution is sponsored by the Office of Planning and Development. (Held from 7/21; 8/4; 9/1; 9/15)
Colvett
Chairman,
Planning &
Zoning
Committee
Case No. PD 99-362

Appellant: Balmoral Neighborhood Association
Appellee: SE Industrial Investments, LLC

Request: Appeal the decision of the Land Use Control Board for a Major Modification approved on February 13th, 2020 to allow a three (3) story office building with associated accessory uses

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

40 NOTICES WERE MAILED ON JULY 10, 2020

2.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a planned development located at 883 South Barksdale Street (southwest corner of Barksdale and Nelson), containing +/-9,540 square feet in the Residential Single-Family -6 (R-6) District. This resolution is sponsored by the Office of Planning and Development.

Case No. PD 20-01

Applicant: Ahmed Saffarini/Wasif Dewik
Neeraj Kumar – Representative

Request: Four-unit townhouse structure

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

122 NOTICES WERE MAILED ON SEPTEMBER 25, 2020

DIVISION OF PLANNING AND DEVELOPMENT

3.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a planned development located at 8535 Winchester Road, containing +/-14.259 acres in the Conservation Agriculture (CA) and Residential Urban - 2 (RU-2) Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. PD 20-10

Applicant: Windyke Country Club, Inc. and Belz Investco GP/Hamister Group LLC
SR Consulting – Cindy Reaves – Representative

Request: Senior living facility planned development

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

4.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 590 East Raines Road, containing 0.29 acre in the Commercial Mixed Use – 1 District. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-07

Applicant: Negotiable Taxes, Inc.
David Bray of the Bray Firm – Representative

Request: Special use permit for vehicle sales

LUCB and OPD recommendation: REJECTION

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

5.
Colvett
Chairman,
Planning &
Zoning
Committee

RESOLUTION approving a special use permit located at 580 Belt Line Street, 584 Belt Line Street, 579 Boston Street, 2638 Southern Avenue and 2650 Southern Avenue, containing 0.9 acre in the Commercial Mixed Use – 1 and Residential Urban – 1 Districts. This resolution is sponsored by the Office of Planning and Development.

Case No. SUP 20-08

Applicants: Ameen Ozrail and Ziad Ozra
Tim McCaskill of McCaskill and Associates – Representative

Request: Special use permit for a convenience store with gas sales

LUCB and OPD recommendation: APPROVAL, with conditions

ACTION REQUESTED: Take whatever action Council deems advisable

No Opposition at LUCB; No Public Hearing Required

ZONING ORDINANCE- THIRD AND FINAL READING

6.
Colvett
Chairman,
Planning
& Zoning
Committee

ORDINANCE rezoning 580 and 584 Belt Line Street, containing 0.2 acres located in the Residential Urban – 1 District, up for T H I R D and F I N A L reading. This Ordinance is sponsored by the Office of Planning and Development.

Case No. Z 20-08
Ordinance No. 5762

Applicant: Ameen Ozrail and Ziad Ozrail

Tim McCaskill and Associates, Inc. – (Representative)

Request: Commercial Mixed Use – 1

LUCB and OPD recommendation: APPROVAL

ACTION REQUESTED: Take whatever action Council deems advisable

46 NOTICES WERE MAILED ON SEPTEMBER 25, 2020



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CONSENT AGENDA

GENERAL ORDINANCE - FIRST READING (None)

GENERAL ORDINANCE - SECOND READING

7. **ORDINANCE** amending and restating Chapter 25 of the City of Memphis, Code of Ordinances Governing the City Pension System, up for **S E C O N D** reading. Ordinance No. 5763 is sponsored by the Administration.

Carlisle
Chairman,
Personnel
Committee

ACTION REQUESTED: Adopt the ordinance on Second reading

ZONING ORDINANCE – FIRST READING (None)

ZONING ORDINANCE - SECOND READING (None)

NOTATION FROM OPD (None)

ENGINEERING DIVISION

8. **RESOLUTION** accepting **KIRBY WHITTEN BUSINESS CENTER, LOT 24 (STARBUCKS)** and authorizing release of bond.

Resolution approves accepting the public improvements with the City of Memphis as shown on the engineering plans located on the northwest corner of Whitten Road and Raleigh LaGrange in the City of Memphis, Tennessee. Resolution also authorizes the release of Renasant Bank Letter of Credit No. 3883 in the amount of \$49,000.00 held as security for the standard improvement contract.

ACTION REQUESTED: Adopt the resolution

9. **RESOLUTION** approving the final plat of **STARBUCKS #62734**.

Resolution approves the final plat located at 3545 Austin Peay, approximately 157 linear feet north of the Yale Road/Austin Peay Highway in the City of Memphis, Tennessee. Cost of the required improvements to be borne by the Developer. Resolution also authorizes the proper officials to execute the attached standard improvement contract and accept the

Performance Bond No. SU1167426 in the amount of \$56,400.00 on behalf of the City of Memphis.

City Engineer recommends approval

ACTION REQUESTED: Adopt the resolution



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FISCAL CONSENT AGENDA

10. RESOLUTION to accept grant funds in the amount of \$20,000.00 from Tennessee Highway Office (THSO) through the Tennessee Department of Safety and Homeland Security. This resolution is sponsored by Police Services. **(Request for same night minutes)**
11. RESOLUTION to accept grant funds in the amount of \$ 300,000.00 from Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety and Homeland Security. This resolution is sponsored by Police Services. **(Request for same night minutes)**
12. RESOLUTION to accept grant funds in the amount of \$100,000.00 from Tennessee Highway Safety Office (THSO) through the Tennessee Department of Safety and Homeland Security. This resolution is sponsored by Police Services. **(Request for same night minutes)**
13. RESOLUTION to amend the FY2021 Operating Budget by accepting and appropriating the Expenditures and Revenues for the Weatherization Assistance program (WAP) in the amount of \$200,000.00 provided to the Weatherization Assistance Program from the Memphis Housing Authority as part of a Buy-Down agreement to financially contribute to the weatherization of the Montgomery Plaza Multi-family project. This resolution is sponsored by MHA. **(Request for same night minutes)**
14. RESOLUTION to accept the acquisition of property located at 0 Jackson Pit Road, and further described as Parcel ID# 094400 00020, Market Value \$27,000.00 for the use and benefit of the Memphis-Shelby County Airport Authority. This resolution is sponsored by General Services Division. **(Request for same night minutes)**
15. RESOLUTION to accept the acquisition of property located at 0 Jackson Pit Road, and further described as Parcel ID# 094400 00021, Market Value \$46,000.00 for the use and benefit of the Memphis-Shelby County Airport Authority. This resolution is sponsored by General Services Division. **(Request for same night minutes)**
16. RESOLUTION to accept and appropriate funds in the amount of \$ 8,000.00 from FM Global to purchase tablets and accessories. This resolution is sponsored by Fire Services. **(Request for same night minutes)**

17. RESOLUTION to receive and appropriate a CARES Act funding allocation from the U.S. Department of Housing and Urban Development in the amount of \$ 6,495,376.00 to the FY2021 Housing and Community Development's federal budget. This resolution is sponsored by HCD Division. **(Request for same night minutes)**

18. RESOLUTION to accept donated funds in the amount of \$ 20,696.14 from various donors. This resolution is sponsored by the Executive Division. **(Request for same night minutes)**



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MLGW FISCAL CONSENT

19. RESOLUTION approving Change No. 1 to Contract No. 12122, Audit Assurance and Advisory Services with Banks, Finley, White & Company, in the funded amount not-to-exceed \$200,000.00. (This change is to renew the current contract for the first of four annual renewal terms for the period covering January 6, 2021 through January 5, 2022, with no increase in rates from the previous year.)
20. RESOLUTION approving payment of an invoice from the American Public Power Association for the 2020 Annual Membership dues in the amount of \$132,138.37.
21. RESOLUTION awarding a purchase order to LightSpeed Technologies, Inc. for multiprotocol label switching (MPLS) network expansion equipment, in the amount of \$273,084.00.
22. RESOLUTION approving Change No. 1 to Contract No. 12108, EDI Data Transfer with Energy Services Group, LLC, in the funded not-to-exceed amount of \$79,149.85. (This change is to extend the current maintenance agreement covering the period of November 21, 2020 through December 31, 2024 in the funded amount of \$71,949.85. In addition, this change is to include contingency funds to cover data file overages in the amount of \$7,200.00 for a total not-to-exceed amount of \$79,149.85. This extension is needed to provide software maintenance for the Electronic Data Interchange.)
23. RESOLUTION approving a purchase order to Enfinity Supply, LLC for valve actuators, in the amount of \$79,539.00.
24. RESOLUTION awarding Contract No. 12143, Nokia/MPLS Maintenance Services to Lightspeed Technologies, Inc., in the funded amount of \$472,555.00.
25. RESOLUTION awarding Contract No. 12197, System Furniture to Staples Contract & Commercial LLC, in the funded amount of \$1,016,297.00.
26. RESOLUTION approving Change No. 3 to Contract No. 11928, Mobile Document (On-Site) Shredding Services with Vital Records Control, Incorporated, in the funded amount of \$23,953.00. (This change is to renew the current contract for the third of four annual renewal terms covering the period January 4, 2021 through January 3, 2022, with no increase in rates from the previous year.)

27. RESOLUTION awarding a purchase order to Environmental Products Group via the Sourcewell Public Utility Contract No. 122017-FSC, for the purchase of a truck mounted vacuum excavator, in the amount of \$440,412.12.

28. RESOLUTION awarding Contract No. 12218 for power supply consultant to GDS Associates, Inc., in the funded not-to-exceed amount of \$520,000.00. **(Request for same night minutes)**



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REGULAR AGENDA

29.

Carlisle
Chairman,
Personnel
Committee

APPOINTMENTS

BLIGHT AUTHORITY OF MEMPHIS

Appointments

Greg Glosson
Shawn Massey
Jill Steinberg
Louisa Yanes

GENERAL ORDINANCES – THIRD AND FINAL READING

30.

Canale
Chairman,
Government
Affairs &
Annexation
Committee

ORDINANCE amending Chapter 2, Article I, Section 2-10-10, Subsection B, to require the Board of Ethics to establish an online portal to require Lobbyists to register annually and to file their state mandated disclosure statements with the City of Memphis, up for T H I R D and F I N A L reading. Ordinance No. 5752 is sponsored by Councilman Morgan and Councilman Carlisle. (Held from 6/16;7/7;7/21; 9/1: 9/15)

ACTION REQUESTED: Take whatever action Council deems advisable

31.

Ford
Chairman,
Economic
Development,
Technology &
Tourism
Committee

ORDINANCE creating the Walk Tourism Development Zone Tourism Surcharge and otherwise providing with respect to the foregoing, up for T H I R D and F I N A L reading. Ordinance No. 5761 is sponsored by the Administration.

ACTION REQUESTED: Take whatever action Council deems advisable

CITY COUNCIL-EXTRAORDINARY COUNCIL RESOLUTIONS (None)

ENGINEERING DIVISION (None)

EXECUTIVE DIVISION (None)

FINANCE & ADMINISTRATION (None)

DIVISION OF FIRE SERVICES (None)

DIVISION OF GENERAL SERVICES (None)

DIVISION OF HOUSING AND COMMUNITY DEVELOPMENT (None)

DIVISION OF HUMAN RESOURCES (None)

INFORMATION SERVICES (None)

LAW DIVISION (None)

LIBRARY SERVICES (None)

MLGW DIVISION (None)

DIVISION OF PARKS AND NEIGHBORHOODS (None)

DIVISION OF POLICE SERVICES (None)

DIVISION OF PUBLIC SERVICES (None)

DIVISION OF PUBLIC WORKS (None)

GENERAL ITEM (None)

APPEARANCE CARDS FOR PUBLIC SPEAKING

ADJOURNMENT